48-49

195 File No. 9701/.

B CLASS

P.W. DEPARTMENT

E BRANCH (11)

Subject:— Pension

Transfer of — from Dominion

of Pakistan to the Dominion

of India & Vice Versa

Procedure reg. the —

F.L.No. 1949

EB.(11).

File No. 9701/36.

Std. Scott. Slip. 24 A

Std. Sectt. 78 o.

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. 9701/36

P.W. **DEPT.**

E **BRANCH** (11)

References :—

Date.	To whom sent.	Notes and instructions.

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. 9201/36

P.W. **DEPT.**

E **BRANCH** (11)

References :—

Date.	To whom sent.	Notes and instructions.

For further orders pl. see G.C.M., F.D., No.2736/33, dated the 29-12-47 (9701/36/55998). For forms of agreement Affidavit and Indemnity Bond to be signed by refugee pensioners claiming advance of pensions pl. see G.C., F.D., No.2736/36, dated the 17-3-48.

9701/36 (312-46)

2d
16-6-48

Pl. see F.D. endt. No.2736/33-C dated the 15-5-48 (File No.S-113) 32617.

& No.2736/33/20868-C, dated the 2-6-48 (file 2701/36) 32514.)

Procedure regarding payment of pensions to Bombay Government Pensioners who may have come as refugees from West Pakistan.

Government of Bombay.
Finance Department.,
Circular No.2736/33.
Bombay Castle, 6th Dec. 1947.
Circular of Government.

Government is pleased to authorise the following procedure for payment of advances to Bombay Government Civil Pensioners who may have come as refugees from West Pakistan. All such pensioners as possess the pensioners' halves of the Pension Payment Orders should present them to the Accountant General, Bombay who after making such varification of their genuineness as is possible will issue a special provisional authority to the treasury at which the payment is required for monthly advances equivalent to the monthly pension to be paid for a period not exceeding three months. The Accountant General, Bombay, will at the same time send extracts from the Pension Payment Orders containing indentification particulars together with specimen signatures to enable the treasury officer to identify the pensioner. The

pensioner...

pensioner should agree in writing to adjestments of the advances being made against the pension to be drawn later after the proper transfer has been effected. The pensioner's half of the Pension Payment Order will be retained by the Accountant General, Bombay, until the transfer of pension has been carried out in accordance with the normal procedure.

2. In case of those who claim payment of pensions without producing their Pension Payment Orders they should be asked to produce satisfactory evidence about the bona fides of their claim. The Accountant General, Bombay, after making a summary enquiry and after verification from his records if possible, may authorise payment of advances equivalent to the residual monthly pension on the assumption that the original pension would have been commuted to the full permissible extent, for a period not exceeding three months after obtaining an indemnity bond from the claiment with an acceptable Surety from a Government official or a bank guarantee. To minimise the risk of inadmissible claims, payment in such cases where pension exceeds Rs.100/- per mensem should be made only through recognised ranks. The pensioner should also agree in writing to adjustments of these advances against the pension which may be drawn later after the transfer has been effected.

3. The Accountant General, Bombay, should also obtain applications from the pensioners for transfer of their pensions to treasuries in India and forward them to the appropriate Accounts Officer in Pakistan for effecting the transfer.

By.....

By order of the Governor of Bombay,

V.M.Joshi,

Deputy Secretary to Government.

To

The Secretary to the Government of India, Ministry of Finance.,

The Secretary to the Government of Madras Finance Department.,

All other Provincial Governments.

The Accountant General, Bombay.,

All Departments of the Secretariat (Except the Separate Department).

All Treasury Officers,

By Letter.

No. of 1947.

Copy forwarded for information and guidance to.

Submitted for information.

Thro' F.D.(I).

Id/- 29/12/47.

Id/- 31/12/47.

D.S.

Id/- 30/12/47.

Id/- 31/12/47.

ADS/-

No.F.8(4)-E.V/48.
Government of India.
Ministry of Finance.
New Delhi, The 27th February 1948.

OFFICE MEMORANDUM.

Subject:- Prodedure for the transfer of pensions from the Dominion of Pakistan to the Dominion of India and Vice Versa.

A number of pensioners having asked for the transfer of their pensions from the Dominion of Pakistan to the Dominion of India and vice versa, it has been agreed between the Dominions that all Provincial Governments in either Dominion should take definite measures to facilititate the quickest possible transfer of the relevant pension papers. Pending the transfer of these papers, it has been decided that the following procedure should be observed:-

(1) When a pensioner presents his Half of the Pension Payment Order-

The Accounts Officer in whose payment transfer is desired will, after obtaining the following documents, authorise the Treasury Officer or the Post Master to make provisional payment:-.

(a) A certificate from a Magistrate or a Gazetted Officer certifying the pensioners identity;

(b) An Indeminty bond from the pensioner with two sureties, who should either be permanent Government servants or persons certified to be solvent by an officer not below the rank of Tehsildar, agreeing to refund any amount wrongly paid.

.....

(ii) <u>When a Pensioner has lost his Half of the Pension Payment Order-</u>

The pension, not exceeding in amount the residual monthly Pension assuming that the original pension would have been commuted to the full permissible extent, will be paid provisionally on the production of the following documents:-

(a) Certificate from a Magistrate or a Gazetted officer certifying the pensioner's identity,

(b) An Indemnity bond from the pensioner with two sureties, who should either be permanent Government servants or persons certified to be solvent by an Officer not below the rank of Tehsildar, agreeing to refund any amount wrongly paid.

(c) Other corroborative evidence to show that he was in fact a pensioner and the Department and Office from which he retired;

(d) A declaration stating the amount of his monthly pension, the month upto which he had received payment and the name of the Treasury or Post Office from which he received payment.

(e) The number of Pension Payment Order, if possible.

This procedure will apply only to pensions due for the period ending the 31st March 1948. To minimise the risk of inadmissible claims, payment under (ii) above where the pension exeeds Rs.100 p.m. should be made only through recognised banks.

2. In order that fresh payment Orders may be issued at an early date to the Treasuries or Post Offices by the Accounts Officers concerned, the Auditors-General of the two Dominions will collect all relevant cases and refer the same to each other so that the Treasury Halves of the Pension Payment Orders may be quickly transferred. All compliments of pensioners who want to draw their pensions in India should be made to the Auditor General of India and these will be cleared by him with the Auditor-General of Pakistan.

3. The procedure laid down above will apply to all Provinces in India. Similar orders have also been issued by the Government of Pakistan. Orders in respect of pensioners of the Central Government have already issued-/ vide this Ministry's Memorandum No.F.8(10)-EV/47, dated the 9th October 1948.

4. The liability regard to these pensions will remain as provided in Article 11 of the Indian Independance (Rights, Property and Liabilities) Order, 1947 which for facility of reference, is produced below.

11 (1) Nothing in the preceding provisions of this order affects the liability of either Dominion or of any Province in respect of the payment of any pension.

(2) Where before the appointed day the Governor General in Council or any Province is subject to any liability in respect of any pension, that liability shall, as from the appointed day,-

(a) in the case of a liability of the Governor

General in Council be liability of the Dominion of India;

(b) in the case of a liability of the Province of Bengal, be a liability of the Province of East Bengal;

(c) in the case of a liability of the Province of the Punjab, be a libility of the Province of West Puhjab; and

(d) in the case of a liability of any Province other than Bengal or the Puhjab, continue to be a liability of that Province.....

Liability of that Province-

Sd C.S.MENON.

Deputy Secretary to the Government of India.

(Below copy of the Government of India, Ministry of Finance, Office Memorandum, No.F.8(4)-E.V./48, dated 27th February 1948).

No.2736/33-C. Finance Department,
Bombay Castle, 15th May 1948.

Pl.see also p.11
7-1/36/(21548/32514).

Forwarded for information and guidance to:

The Accountant General, Bombay;

All Departments of the Secretariat, (except Separate Department.);

All Treasury Officers., in continuation of Government Circular, Finance Department, No.2736/33 dated...

dated 6th December 1947 as modified by Government Circular of even number, dated 19th December 1947.

By order of the Governor of Bombay,

Sd/-

for under Secretary to the Government of Bombay,

for Finance Department.

Ads/-

P.W.D.

E.B.(II).

Page 3 within is incomplete. The F.D. may be requested u.o. to furnish a clean copy (complete) and return these papers for further disposal.

Id/-
5-6-48.

Id/-
5-6-48.

U.O. to F.D. dated 7-6-48.

Finance Department-R

This may be returned to P.W.D. with an intimation that the presumption made by that Deptt. in the foregoing note is not correct. The page 3 is in order as the same will be evident from the continuse order in sub-para (II) (a) (b) on page 1 ante. The bank space on page 3 is due to the incorrect substance which was later on posted while renecing the sheet.

Id/-
9/6/48.

Id/-
9/6/48.

Id/-
17/6/48.

Id/-
18/6.

U.O.R to the P.W.D. dated 18/6/48.

Below copy of the Government of India, Ministry of Finance, Office Memorandum, No.F.8(4)-Est. V/48, dated 7th May 1948).

No.2736/33/20868-C. Finance Department,
Bombay Castle, 2nd June 1948,

Forwarded for information and guidance to:
The Accountant General, Bombay; All Departments of the Secretariat (Except Separate Department).; All Treasury Officers; in continuation of Government Endorsement, Finance Department, No.2736/33-C, dated 15th May 1948.

By order of the Governor of Bombay,

Sd/-
for Under Secretary to the Government
of Bombay Finance Department.

No.F.8(4)-Est.V/48.
Government of India,
Ministry of Finance,
New Delhi, the 7th May 1948.

OFFICE MEMORANDUM.

Subject:- Procedure for transfer from the Dominion of Pakistan to the Dominion of India and vice versa of pensions of pensioners of Provincial Governments of either Dominion.

The undersigned is directed to refer to this Ministry's Memorandum No.F.8(4)-Est. V/48, dated the 7th February 1948, regarding the transfer from the Dominion of Pakistan to the Dominion of India vice versa....

vice versa of pensions of pensioners of the Provincial Governments of either Dominion, and to state that the Governor General is now pleased to decide that the procedure laid down therein will continue to be applied to pensions due for the period upto the 30th September 1948 or until the transfer of the relevant pension papers has been carried out in accordance with the normal procedure, has whichever is earlier.

2. Attention is also invited to para 4 of this Ministry's Memorandum of the 27th February, 1948 referred to above, wherein Article 11 of the Indian Independence (Rights, property and Liabilities) Orders, 1947 indicating the liability, in regard to these pensions has been quoted. This liability insofar as it pertains to the Dominion of India, has has been modified by the Indian Independence (Liabilities) order, 1948, issued on the 31st March 1948, the provisions of Article 3(3) (a) and (b) of which are reproduced below for facility of reference:-

"3, Notwithstanding anything contained in Articles 8,9 and 11 of the principal Order, the liabilities of the General in Council which were outstanding immediately before the appointed day in respect of the following items shall not be, and shall be deemed never to have been, liabilities of the Dominion India:-

---

3. Any pension, whether a service pension or

...

a....

a political pension, if -

(a) the pension was on the appointed day payable at a Government treasury, post office or other place situated within the Dominion of Pakistan and has not before the commencement of this Order been duly made payable at a place in the Dominion of India, or

(b) the pension was on the appointed day payable at a place outside the Dominion of Pakistan and has before the commencement of this Order been duly made payable at a Government treasury, post office or other place situate within the Dominion of Pakistan."

Sd/-

Deputy Secretary to the Government of Indian

To

Copy forwarded to all Provincial Governments, etc. etc.

Procedure regarding payment of pensions to Bombay Government pensioners who may have come as refugees from West Pakistan.

GOVERNMENT OF BOMBAY.
Finance Department.
Circular No.2736/33.
Bombay Castle, 5th July, 1948.

CIRCULAR OF GOVERNMENT.

In continuation of the orders issued in Government Circular, Finance Department, No.2736/33, dated 19th December 1947, Government is pleased to extend the Period of payment of advances of pensions ~~of~~ to Bombay Government Civil pensioners who may have come as refugees from West Pakistan up to 30th September 1948 or until the transfer of the relevant pension papers have been completed in accordance with the normal procedure, whichever is earlier. The existing procedure for the payment of such advances ~~xhkk~~ will cantimue. As a further safeguard, however, duly attosted thumb and finger impressions of all pensioners except those specified in sub-rule (2) of rule 367 of the Central Compilation fo the Treasury Rules, Volume I, should be furnished by the pensioners to the Accountant General, Bombay, along with the indentification particulars and specimentsignatures of the pensioners. In such cases thumb and finger impressions should also be taken by the Treasury Officer concerned ~~kxxxx~~ before the Provincial payment of pension is made.

For further extension of the period up to the 31-12-48, pl. see G.C., F.D. No.2736/33, dated 16th Dec.1948.

By order of the Governor of Bombay,

~~xx~~ D.R.Damle
Under Secretary to Government.

To

The Secretary to the Government of India, Ministry of Finance, New Delhi.

* The Secretary to the Government of Madras, United Provinces, Central Provinces and Behar,

All the Provincial Departments,

The Accountant General, Bombay,

All Departments of the Secretariat (except Separate Department),

All Treasury Officers.

*By letter,

Copy forwarded for information and guidance to-

* All the provincial Govts

ADS/-

Know all men by these presents that we----------
(name of the obligor) residing at ---------(hereinafter
called "the Principal") and (1) ----------(2)---
----------(name of the two sureties) residing
at ----------hereinafter called "the Sureties")
are held and firmly bound unto the Governor of
Bombay (hereinafter referred to as "the Governor")
in the sum of Rupees---------- to be paid to the
Governor, his successors or assigns, for which pay-
ment well and truly to be made we bind ourselves
and our heirs, executors, administrators and represent-
atives jointly and each of us binds himself, his
heirs, executors, administrators and representatives
severally firmly by these presents.

Sealed with our seal this -------day of---------

WHEREAS the Governor has agreed to pay a sum
of Rupees---------- to the above bunden Principal on
account of an advance towards the amount of pension
to which the Principal claims to be entitled, on the
Principal executing an indemnity bond with two sureties
to indemnify the Governor against all claims in respect
of the said moneys.

NOW THE CONDITION of the abovewritten bond or
obligation is such that if after payment of the said
sum of Rs.-------- to the Principal as aforesaid, any
claim be made by any other person against the
Governor with respect to the said sum, the above
bonnden Principal and/or Sureties or their
heirs, executors, administrators or assigns or any
one or more of them shall forthwith refund to the
Governor, his sucessors or assigns the said sum of

Rupees---------- and shall otherwise indemnify and save the Governor his successors and assigns harmless from all liability in respect of the said sum and all costs incurred in consequence thereto and shall also refund to the Governor on demand any sum that may be found to have been overpaid when the necessary papers and documents in connection with the pension of the Principal have been duly examined by the Accountant General, Bombay or any other person authorised by the Governor in this behalf, THEN the above written bond or obligation shall be void and of no effect otherwise the same shall be and remain in full force and virtue.

Signed by----------
(Name of the obliger)
in the presence of---------

(Signature of the obliger).

Signed by----------
(name of the first surety in the presence of
_____

(Signature of the First Surety).

Signed by_____
(name of the second surety
in the presence of _____

(Signature of the second Surety).

Procedure regarding payment of pension to Bombay Government pensioners who may ~~may~~ have come as refugees from West Pakistan.

GOVERNMENT OF BOMBAY.
Finance Department,
Circular No.2736/33.
Bombay Castle,16th December 1948.

CIRCULAR OF GOVERNMENT.

The period of these orders has been extended up to the 31-3-49, vide G.C., F.D. No.2736/33,dated the 11-3-49. The scope of the extension has also been mentioned therein.

In continuation of the orders issued in Government Circular, Finance Department, No. 2736/33, dated 5th July 1948, Government is Pleased to extend the period of payment of advances of pensions to Bombay Government Civil pensioners who may have come as refugees from West Pakistan upto 31st December 1948. The existing procedure for the payment of such advances will continue. This further extension of period will apply only to those pensioners who are already drawing their pensions under the present arrangements.

2. In partial modification of the orders issued in Government Circular, Finance Department, No.2736/33, dated the 17th March 1948, Government is pleased to prescribe a ~~new~~ new form of indemnity Bond (printed as an accomp/-animent to this Circular) which should be executed by all the pensioners in favour of the Governor of Bombay before receiving the payment of the advance of their pensions in accordance with the orders in paragraph 1 above.

3. All payments of pensions made on or

after 15th August 1947 will be placed under a suspense head to be designated 'Payments made to refugee Pensioners coming from Pakistan' to be opened under 'P-Deposits and Advances Part IV Suspence.'

By order of the Governor of Bombay,

Sd/-(D.H.DAMLE)

Under Secretary to Government.

To

The Secretary to the Government of India, Ministry of Finance;

The Accountnat General, Bombay;

All Departments of the Secretary; P W D

All Treasury Officers.

*By letter.

No. of 1948.

Copy forwarded for information and guidance to:

Accompaniment.- to the Government Circular, Finance Department No.2736/33, dated 16th December 1948.

Form of Indemnity Bond.

DS/-

The period of these orders have been extended upto 30-6-49 vide G.C.M., F.D., No.2736/33, 29-4-49.

Procedure regarding payment of pension to Bombay Government pensioners who may have come as refugees from West Pakistan.

GOVERNMENT OF BOMBAY.
Finance Department.
Circular No.2736/33.
Bombay Castle, 11th March 1949.

CIRCULAR OF GOVERNMENT.

In continuation of the orders issued in Government Circular, Finance Department, No.2736/33, dated 16th December 1948, Government is pleased to extend, for a further period up to 31st March 1949, the present arrangement for the payment of advances of pension pending their transfer, to Bombay, Government Civil Pensioners who may have come as refugees from West Pakistan. This extension will be applicable only to those pensioners who were drawing their advance of pension on or before 30th September 1948.

By order of the Governor of Bombay,

Sd/-
(D.H.DAMLE).
Under Secretary to Government.

To

The Secretary to the Government of India,
Ministry of Finance,

The Accountant General, Bombay,

All Departments of the Secretariat,

All Treasury Officers.

By letter.

No. of 1949.

Copy forwarded for information and guidance to:

\DS/-

Procedure regarding
payment of pension to
Bombay Government Pensioners
who may have come as displaced
persons from West Pakistan.

GOVERNMENT OF BOMBAY.
Finance Department.
Circular No.2736/33.
Bombay Castle, 29th April 1949.

CIRCULAR OF GOVERNMENT.

. For further orders pl. see G.C.,F.D., No. 2736/33, dated 30-7-49.

In continuation of the orders issued in Government Circular, Finance Department, No. 2736/33, dated 11th March 1949, Government is pleased to extend, for a further period upto 30th June 1949, the present arrangement for the payment of advances of pension pending their transfer to Bombay Government Civil pensioners who may have come as displaced persons from West Pakistan. This extension will be applicable only to those pensioners who were drawing their advance of pension on or before the 30th September 1948.

By order of the Governor of Bombay,

M.V.TILVE.

Under Secretary to Government

Government Circular, No.2736/33, Finance Department, dated 29th April 1949.

To

The Secretary to the Government of India,
Ministry of Finance.

The...

The Accountant General, Bombay,

All Departments of the Secretariat,

All Treasury Officers.

* By letter.

No. of 1949.

Copy forwarded for information and guidance to:

ADS/-

Pension Documents:
Attestation of - in
the case of Government
servants residing in the
Pakistan Dominion.

GOVERNMENT OF BOMBAY.
Finance Department.
Circular No.2736/33.
Bombay Castle, 23rd June 1949.

CIRCULAR OF GOVERNMENT.

Cancelled vide F.D., G.R., No.2736/33, dated the 24/9/53. (DOP. 1253/12808/7)

Government is pleased to direct that in the case of Bombay Government servants residing in the Pakistan Dominion, pension documents such as finger impressions specimen signatures and certificates relating to payment of pensions, should be attested by some person exercising the powers of a Magistrate under the Criminal Procedure Code in Pakistan, under the seal of his office. All documents in this behalf should however be routed through diplomatic channels.

By order of the Governor of Bombay,

(M.V. TILVE.)
Under Secretary to Government.

Circular No. 2736/33, dated 23rd June 1949.

To

The Secretary to the Government of India,
Ministry of Finance,
The Accountant General, Bombay,
All Departments of the Secretariat,
All other Heads of Departments and
All Treasury Officers.

* By letter.

No. of 2949.

Copy forwarded for information and guidance to.

ADS/-

Procedure regarding payment of pension to Bombay Government pensioners who may have come as displaced persons from West Pakistan.

GOVERNMENT OF BOMBAY.
FINANCE DEPARTMENT.
CIRCULAR NO. 2736/33.
BOMBAY CASTLE, 30th JULY 1949.

CIRCULAR OF GOVERNMENT.

For further orders pl. see G.C., F.D., No.2736/33, dated 12-10-49.(p.).

In continuation of the orders issued in Government Circular, Finance Department No.2736/33 dated 29th April 1949, Government is pleased to extend for a further period, upto the 30th September 1949, and subject to the existing conditions, the present arrangement for the payment of advances of pension pending their transfer, to Bombay Government Civil pensioners who may have come as displaced persons from West Pakistan. This extension will be applicable only to those pensioners who were drawing their advance of pension on or before the 30th September 1948.

By order of the Governor of Bomba;

D.H. Damle.
Under Secretary to Government.

To

The Secretary to the Government of India,
Ministry of Finance,

The Accountant General, Bombay,

All Departments of the Secretariat,

All Treasury Officers.

* By letter.
No. of 1949,

copy forwarded for information and guidance to.

Procedure regarding payment of pension to Bombay Government Pensioners who may have come as displaced persons from West ~~Pak~~ Pakistan.

GOVERNMENT OF BOMBAY.
FINANCE DEPARTMENT.
CIRCULAR NO. 2736/33.
Bombay Castle, 12th October 1949.

CIRCULAR OF GOVERNMENT.

For further orders pl. see G.C.,F.D., No.2736/33 dated 9-1-50.(File No. 2146/48/4764)

In continuation of the orders, issued in Government Circular, Finance Department No. 2736/33 dated 30th July 1949, Government is ~~plea~~ pleased to extend for a further period upto the 31st December 1949 and subject to the existing conditions, the present arrangements for the payment of advances of pension, pending their transfer, to Bombay Government Civil pensioners who may have come as displaced persons from West Pakistan. This extension will be applicable only to those pensioners who had applied for such payments on or before the 30th September 1948.

By order of the Governor of Bombay

Sd/-

Under Secretary to Government,

To

The Secretary to the Government of India,
Ministry of Finance,
The Accountant General, Bombay,
All Departments of the Secretariat,
All Treasury Officers.

By letter.

No. of 1949.

Copy forwarded forinformation and guidance to.

ADS/-